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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/030,325	05/07/2002	Geoffrey M Jacquez	68007-019	5839

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Jeffrey A Sadowski
Howard & Howard Attoney
Suite 101
39400 Woodward Avenue
Bloomfield Hills, MI 48304-5151

EXAMINER	
JACKSON, JAKIEDA R	

ART UNIT	PAPER NUMBER
2626	

DATE MAILED: 08/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/030,325	JACQUEZ, GEOFFREY M	
	Examiner	Art Unit	
	Jakieda R. Jackson	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 June 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. In response to the Office Action mailed March 7, 2006, applicant submitted an amendment filed on June 6, 2006, in which the applicant amended and requested reconsideration with respect to **claim 1**.

Response to Arguments

2. Applicant argues that Thomson fails to teach accessing user data from a linked user database that has been generated as a result of at least one previous interaction between the identified user and a help software program and specifically related to the identified user, as amended. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection. However, Noyes teaches that the Relationship inheritance assembles the user relationships describing a specific concept from the network of concepts in the Knowledge Representation Database into the Descriptive Database (column 25, lines 8-55). Noyes further teaches that each new record will be added in relationship to some *existing concept record.* Getting the Parent record reference number can be accomplished through user interaction. (column 31, line 40 – column 32, line 9).

Applicant further argues that Thomson fails to teach formulating a response by integrating a natural language input from the user with specific user data from the linked user database and data from the knowledge database. As previously noted, Thomson does not access specific user data regarding past interaction with the help software from a user database. Thus it would be impossible to integrate this information with

other sources of information to formulate a response, if it is not be collected, accessed and processed in the first place. However, Noyes teaches accessing specific user data regarding past interactions with the help software program from a user database, as previously noted.

Applicant also argues that Thomson fails to teach updating the linked user database with a natural language input and response thereto, whereby future responses to the identified user may refer to the updated linked user database for the identified user. Applicant argues that there is no discussion of using any data generated during the encounter between a user and the help software program for operational purposes. However, Noyes teaches that the evaluation of context is without precedent in the art and enables the novel features of the means for user interaction of the invention (column 9, lines 7-23). Noyes further teaches that the description of the concepts facilitate the views, and user interaction with the knowledge representation database (column 29, line 61 – column 30, line 2 with column 31, line 40 – column 32, line 9 and column 37, lines 1-37).

Since Thomson in view of Noyes in combination teach independent claim 1, dependent claims 2-16 which depend from and further limit independent claim 1 are likewise taught.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. **Claims 1-4 and 5-14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Thomson (USPN 5,634,051) in view of Noyes (USPN 5,379,366).

Regarding **claim 1**, Thomson discloses a method utilizing a help software program having a plurality of user databases and a knowledge database, the help program working in conjunction with a computer related application for interacting with a user in a natural language format when the user requires assistance in relation to the computer related application (column 3, lines 29-33), said method comprising the steps of;

identifying the user (accepts calls; column 3, lines 51-53),

obtaining an identification code of the identified user (validates their personal identification numbers; column 3, lines 51-53),

searching the user databases to link the identification code with one of the user databases (column 3, lines 51-53),

receiving a user's natural language input (column 6, lines 38-42),

interpreting the natural language input (column 6, lines 38-42), and

submitting the response to the user (presentation of the information to the user; column 3, lines 25-26 and column 7, lines 27-44), but does not specifically teach accessing specific user data, formulating a response and updating the linked user database with the natural language input from the user.

Noyes discloses a method for representation of knowledge in a computer as a network database system comprising the steps of:

accessing specific user data from the linked user database that has been generated as a result of at least one previous interaction between the identified user and the help software program (column 9, lines 7-23 with column 31, line 40 – column 32, line 9) and that is specifically related to the identified user from the linked user database (column 25, lines 8-55),

formulating a response by integrating the natural language input from the user with specific user data from the linked user database and data from the knowledge database (column 43, lines 14-33 with column 57, lines 3-15),

updating the linked user database with the natural language input and response whereby future responses may refer to the updated linked user database for the identified user (column 32, lines 3-23), which enables the linking of records in the database to files or programs external to the Knowledge Representation Database.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Thomson's method wherein it teaches accessing specific user data, formulating a response and updating the linked user database with the natural language input from the user, as taught by Noyes, for knowledge

representation in a computer system together with Natural Language Interface, together with the ability to recognize, store and use patterns in the knowledge representation, together with computerized means for automatically transforming information in the knowledge representation into a multitude of documents or other human interpretable displays in a plurality of different formats or views, together with means for user interaction with the knowledge representation through the documents or displays (column 1, lines 14-25), which enables the linking of records in the database to files or programs external to the Knowledge Representation Database (column 3, lines 15-18).

Regarding **claim 2**, Thomson discloses a method wherein the submitting of the response is further defined as submitting a natural language response to interact with the user in a completely natural language conversation (column 4, lines 9-12, column 6, lines 38-42, column 7, lines 42-44 and column 11, lines 11-13).

Regarding **claim 3**, Thomson discloses a method for utilizing help software, but does not specifically include the step of utilizing a natural language simulator to parse the natural language input before the step of interpreting the natural language input.

Noyes discloses a method for representation of knowledge in a computer as a network database system further including the step of utilizing a natural language simulator to parse the natural language input (figure 34, element d) before the step of interpreting the natural language input (figure 34, element e; column 43, lines 4-13 and lines 34-46), to evaluate the input structures recognized by the parsers.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Thomson's method wherein includes the step of

utilizing a natural language simulator to parse the natural language input before the step of interpreting the natural language input, to optimize the search paths required to respond to the input expression (column 42, lines 65-68), as taught by Noyes.

Regarding **claim 4**, Thomson discloses a method for utilizing help software, but does not specifically include the step of recording and storing the natural language conversation between the user and the help program in the linked user database.

Noyes discloses a method for representation of knowledge in a computer as a network database system further including recording and storing the natural language conversation between the user and the help program in the linked user database (figure 16; column 5, lines 22-25 and column 9, lines 43-47), to learn through interaction with the system users.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Thomson's method such that it includes the step of recording and storing the natural language conversation between the user and the help program in the linked user database, to learn through interaction with the system users, which allows automatic recognition, storing and utilization of the database (column 1, lines 56-61), as taught by Noyes.

Regarding **claim 5**, Thomson discloses a method wherein the formatting of the response is further defined as uniquely molding the response to the identified user based upon the specific user data from the linked user database (column 7, lines 27-44).

Regarding **claim 6**, Thomson discloses a method wherein the uniquely molded response is further defined as guiding the identified user to a predetermined result based upon the particular computer application (column 7, lines 27-44).

Regarding **claim 7**, Thomson discloses a method wherein the guiding of the identified user is further defined as assessing the current input by the user against the predetermined result to further mold future responses to the user in order to direct the user toward the desired result (column 4, line 66 – column 5, line 7).

Regarding **claim 8**, Thomson discloses the method further including the step of determining the type of computer related application chosen by the identified user in order to further mold the responses to the user (column 4, lines 9-29).

Regarding **claim 9**, Thomson discloses the method further including the step of accessing specific information about the chosen computer related application and incorporating this information into the response to the user (column 4, lines 9-29).

Regarding **claim 10**, Thomson discloses the method wherein the accessing of the specific user data for identified user is further defined accessing previous inputs and responses for the identified user (column 4, lines 21-29).

Regarding **claim 11**, Thomson discloses the method wherein the accessing of the specific user data for the identified user is further defined as accessing commercial transaction history for the identified user (column 4, lines 21-29).

Regarding **claim 12**, Thomson discloses the method further including the step of accessing a product database, compiling information from the product database, and

determining if any of the compiled information should be forwarded to the identified user with the response (column 4, lines 21-29).

Regarding **claim 13**, Thomson discloses a method wherein the help program further includes a trainer and the method further comprises the step of interacting the trainer with the help program to continually update and maintain the knowledge database (column 4, lines 57-60 and column 7, lines 19-21).

Regarding **claim 14**, Thomson discloses a method wherein the step of interacting the trainer with the help program is further defined as initiating the trainer to populate, update and monitor the knowledge database (column 4, lines 13-19 and column 7, lines 19-21).

5. **Claim 15** is rejected under 35 U.S.C. 103(a) as being unpatentable over Thomson in view of Noyes, as applied to claim 1 above, and in further view of Dekelbaum et al. (USPN 5,838,682), hereinafter referenced as Dekelbaum.

Regarding **claim 15**, Thomson in view of Noyes discloses a method for utilizing help software, but does not specifically include the step of determining the need for human intervention and accessing human intervention in a natural language format such the interaction with the help program and a human representative appears seamless to the user.

Dekelbaum discloses a method and apparatus for establishing communications including the step of determining the need for human intervention and accessing human intervention in a natural language format such the interaction with the help program and a human representative appears seamless to the user (operator interrogates the database; column 15, lines 17-34), to supplement customer transmission.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Thomson in view of Noyes's method such that it includes the step of determining the need for human intervention and accessing human intervention in a natural language format such the interaction with the help program and a human representative appears seamless to the user, to provide information corresponding to session history (column 15, lines 17-24), as taught by Dekelbaum.

6. **Claim 16** is rejected under 35 U.S.C. 103(a) as being unpatentable over Thomson in view of Noyes, as applied to claim 1 above, and in further view of Johnson et al. (USPN 5,978,455), hereinafter referenced Johnson.

Regarding **claim 16**, Thomson in view of Noyes disclose a method for utilizing help software, but does not specifically include the step of formulating a pricing plan for the help program based upon the amount of time the user engaged in conversation with the help program.

Johnson discloses a method and system for determining call periods further including the step of formulating a pricing plan for the help program based upon the amount of time the user engaged in conversation with the help program (figure 3 with column 6, lines 41-51), to access billing rate information.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Thomson in view of Noyes's method such that it further includes including the step of formulating a pricing plan for the help program based upon the amount of time the user engaged in conversation with the help program, to access billing rate information to decide on a more optimal period, as taught by Johnson (column 6, lines 41-59).

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jakieda R. Jackson whose telephone number is 571.272.7619. The examiner can normally be reached on Monday through Friday from 7:30 a.m. to 5:00p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 571.272.7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JRJ
August 18, 2006

DAVID HUDSPETH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600